

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION - CINCINNATI

SHARON LAWSON,	:	Case No. 1:19-cv-756
	:	
Plaintiff,	:	Judge Matthew W. McFarland
	:	
v.	:	
	:	
MIAMI VALLEY GAMING & RACING	:	
LLC, <i>et al.</i> ,	:	
	:	
Defendant.	:	

SUA SPONTE ORDER DISMISSING CASE WITHOUT PREJUDICE

On February 21, 2020, Defendants Miami Valley Gaming & Racing LLC and John Does 1 through 10 ("Defendants") filed a Motion to Enforce Settlement Agreement (Doc. 11) on the grounds that all material terms and conditions of a settlement agreement had been negotiated and agreed to as between the parties, but that Plaintiff Sharon Lawson failed to respond when repeatedly asked to return an executed settlement agreement. On March 10, 2020, Plaintiff's attorney, Alissa J. Sammarco, moved the Court to withdraw herself and her firm as Plaintiff's attorney ("Motion to Withdraw"). (Doc. 12.) On March 27, 2020, the Court granted the Motion to Withdraw and ordered that "[w]ithin 30 days of this Order, Plaintiff's new counsel must enter an appearance in this case or Plaintiff must notify the Court that she intends to proceed pro se. Failure to meet this deadline may result in an order to show cause why this case should not be dismissed for failure to prosecute." (Doc. 13.)

After hearing no response for 35 days, on May 1, 2020, the Court ordered that Plaintiff show cause, in writing, within fifteen days, why the Court should not dismiss the case for lack of prosecution ("Order to Show Cause"). (Doc. 16.) On May 12, 2020, Plaintiff filed two motions, notifying the Court that she would like to proceed with the case but needed additional time to seek counsel. (Docs. 17 & 18.) On May 13, 2020, the Court granted Plaintiff's request for additional time and stated: "Plaintiff shall have forty-five (45) days from entry of this order to have new counsel enter an appearance in this case or, alternatively, notify the Court that she intends to proceed pro se." (Doc. 19.) To date, Plaintiff has done neither and her deadline to do so has expired.

Due to Plaintiff's failure to comply with the Court's Order (Doc. 19) and failure to respond, the Court hereby **ORDERS** that this case is **DISMISSED** without prejudice for lack of prosecution. *See* Fed. R. Civ. P. 41(b); *Link v. Wabash R.R.*, 370 U.S. 626, 630-631 (1962); *Jourdan v. Jabe*, 951 F.2d 108, 109-10 (6th Cir. 1991).

Accordingly, this matter is **TERMINATED** on the docket of this Court.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

By: 
JUDGE MATTHEW W. McFARLAND